

RESOLUTION NO. 2019 -15-CM

**BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY
APPROVING APPLICATION FOR PROPERTY TAX
DEDUCTIONS FOR APEX WAREHOUSE AND LOGISTICS LLC**

WHEREAS, On October 9, 2012 the Tippecanoe County Council adopted a certain Declaratory Resolution No. 2012-23-CL, and on November 13, 2012, a certain Confirmatory Resolution No. 2012-29-CL designating certain real estate located in Tippecanoe County with respect to which APEX Warehouse and Logistics LLC has proposed certain real property redevelopment and rehabilitation as an Economic Revitalization Area. The designation of the real estate as an Economic Revitalization Area will permit the applicant, APEX Warehouse and Logistics LLC to qualify for certain property tax deductions; and

WHEREAS, The property consists of approximately 10.00 acres in Wea Township, Tippecanoe County, Indiana, located on US 52 South in the Park 52 Industrial Park in Lafayette, IN 46219; the abbreviated legal description of which is PT S SE SEC 12 TWP 22 R 4 10.000A, further identified as Parcel ID 79-11-12-476-001.000-031, Key Number 146-05000-0162(the Property). A more detailed description of the Economic Revitalization Area is available for inspection in the Tippecanoe County Assessor's Office. All of which property is located within the McCarty Lane-Southeast Industrial Expansion Economic Development Area; and

WHEREAS, APEX Warehouse and Logistics LLC has requested the Tippecanoe County Council to determine that it shall be entitled to the deductions from the increase in assessed value resulting from rehabilitation or development of real estate improvements in such Economic Revitalization Area..

WHEREAS, IC 6-1.1-12.1-2 requires that if property located in an economic revitalization area is also located in an allocation area, an application for property tax deduction may not be approved unless the legislative body of the unit that approved the designation of the allocation area adopts a resolution approving the application; and

WHEREAS, the Board of Commissioners of Tippecanoe County has considered the application of APEX Warehouse and Logistics LLC and other information brought to its attention, and hereby determines that it is in the best interest of Tippecanoe County, Indiana, to approve the the deductions under Indiana Code §6-1.1-12.1-3 as requested by APEX Warehouse and Logistics LLC for a period of ten (ten) years and in accordance with the percentages established by the Tippecanoe County Council pursuant to Indiana Code §6-1.1-12.1-17; and

NOW THEREFORE BE IT RESOLVED, that the statement of benefits of APEX Warehouse and Logistics LLC for the deductions from the increase in assessed value resulting from rehabilitation or development of real estate improvements in such Economic Revitalization Area is hereby approved pursuant to IC 6-1.1-12.1-2(k) for a period of ten (ten) years and in accordance with the percentages established by the Tippecanoe County Council pursuant to Indiana Code §6-1.1-12.1-17.

Adopted this 20th day of May 2019.

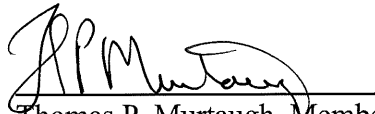
BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY



David S. Byers, President

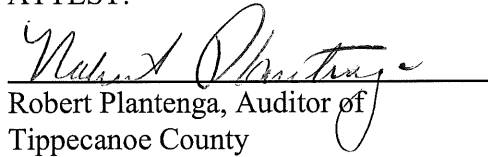


Tracy A. Brown, Vice President



Thomas P. Murtaugh, Member

ATTEST:



Robert Plantenga, Auditor of
Tippecanoe County

**DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER**



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

APR 23 2019

AUDITOR OF TIPPECANOE CO.

20 20 PAY 20 21

FORM SB-1 / Real Property

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☐ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer Apex Warehouse and Logistics, LLC					
Address of taxpayer (number and street, city, state, and ZIP code): 4792 E 400 S, Suite A, Lafayette, IN 47905					
Name of contact person Kelly Andrews			Telephone number (765) 471-7100	E-mail address Kelly@apex-warehouse.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Tippecanoe County Council				Resolution number Res# 2015-15-CM	
Location of property 4886 E 400 S, Lafayette, IN 47905			County Tippecanoe		
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Construct a 48,000 square foot building for commercial/industrial lease.				Estimated start date (month, day, year) 7/1/2019	
				Estimated completion date (month, day, year) 1/30/2020	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 0.00	Salaries	Number retained	Salaries	Number additional	Salaries
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
			REAL ESTATE IMPROVEMENTS		
			COST	ASSESSED VALUE	
Current values			200,000.00	140,720.00	
Plus estimated values of proposed project			2,900,000.00		
Less values of any property being replaced					
Net estimated values upon completion of project			3,100,000.00		
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) _____			Estimated hazardous waste converted (pounds) _____		
Other benefits:					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative <i>Kelly L. Andrews</i>				Date signed (month, day, year) 4/16/2019	
Printed name of authorized representative Kelly L. Andrews			Title President		



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

FILED

APR 18 2019

20 20 PAY 20 21

FORM SB-1 / Real Property

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following conditions:

- ☒ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1		TAXPAYER INFORMATION			
Name of taxpayer Apex Warehouse and Logistics, LLC					
Address of taxpayer (number and street, city, state, and ZIP code) 4792 E 400 S, Suite A, Lafayette, IN 47905					
Name of contact person Kelly Andrews		Telephone number (765) 471-7100		E-mail address Kelly@apex-warehouse.com	
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT			
Name of designating body Tippecanoe County Council		Resolution number			
Location of property 4792 E 400 S, Lafayette, IN 47905		County Tippecanoe		DLGF taxing district number 79031	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Construct a 48,000 square foot building for commercial/industrial lease.		Estimated start date (month, day, year) 7/1/2019		Estimated completion date (month, day, year) 1/30/2020	
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT			
Current number 0.00	Salaries	Number retained	Salaries	Number additional 1 to 5	Salaries \$40,000 to \$200,000
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT			
		REAL ESTATE IMPROVEMENTS			
		COST		ASSESSED VALUE	
Current values		200,000.00		140,720.00	
Plus estimated values of proposed project		2,900,000.00			
Less values of any property being replaced					
Net estimated values upon completion of project		3,100,000.00			
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER			
Estimated solid waste converted (pounds) _____		Estimated hazardous waste converted (pounds) _____			
Other benefits					
SECTION 6		TAXPAYER CERTIFICATION			
I hereby certify that the representations in this statement are true.					
Signature of authorized representative Kelly L. Andrews				Date signed (month, day, year) 4/16/2019	
Printed name of authorized representative Kelly L. Andrews				Title President	

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (*see below*). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
 2. Residentially distressed areas ☐ Yes ☐ No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (*specify*) _____
- E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* *see below*)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
☐ Yes ☐ No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (<i>signature and title of authorized member of designating body</i>)	Telephone number ()	Date signed (<i>month, day, year</i>)
Printed name of authorized member of designating body	Name of designating body	
Attested by (<i>signature and title of attester</i>)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
 - (2) The number of new full-time equivalent jobs created.
 - (3) The average wage of the new employees compared to the state minimum wage.
 - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

SUPPLEMENT TO STATEMENT OF BENEFITS

Real Estate & Personal Property

INSTRUCTIONS:

1. This completed SUPPLEMENT and the completed STATEMENT OF BENEFITS, along with all other requested materials, must be submitted to Greater Lafayette Commerce.
2. This SUPPLEMENT TO STATEMENT OF BENEFITS is part of the total application, and the CERTIFICATION in the STATEMENT OF BENEFITS applies to all statements in the APPLICATION.

SECTION 1

APPLICANT

Name of Taxpayer: Apex Warehouse and Logistics, LLC

Address of Taxpayer (street and number, city, state & ZIP code):
4792 E 400 S, Suite A, Lafayette, IN 47905

Telephone: 765-471-7100

E-mail: Kelly@apex-warehouse.com

Name of Applicant if different from Taxpayer:

Address of Applicant if different from Taxpayer (street and number, city, state & ZIP code):

Telephone:

E-mail:

Description of relationship of Applicant to Taxpayer:

Contact for this Application:

Kelly Andrews

Address of Contact if different from Taxpayer (street and number, city, state & ZIP code):

Telephone:

E-mail:

Name of Parent Company (if any):

Does the company currently conduct business at this site? Yes X No
If "No", how is the site currently used?

Annual Report & History of Company

Company Certified Public Accountant: Hare, Russel & Holder

Company Commercial Bankers: Purdue Federal Credit Union

Company Counsel: Ball & Eggleston

To be completed by GLC Staff

Is this area currently designated as an Economic Revitalization Area? Yes No
Has it ever been so designated in the past? Yes No

Is this property in a Tax Increment Finance (TIF) district (requires RD Commission Approval)? Yes No

SECTION 2**JURISDICTION & PURPOSE**

Jurisdiction:

Lafayette _____
West Lafayette _____
Tippecanoe _____ X

Purpose of Application:

Real Estate Tax Abatement - _____ 10 years

Personal Property Tax Abatement - _____ years

Type of Industry:

Research & Development _____

Manufacturing _____

Logistics _____

Information Technology _____

Other _____

Please specify:

Describe proposed project.

Construct a 48,000 square foot shell building for commercial/industrial lease.

SECTION 3**PROPERTY DESCRIPTION**

Assessor's Personal Property Key Number(s):

79-11-12-476-001.000-031

Location of Real Property (street and number, city, state & ZIP code):

4792 E 400 S, Lafayette, IN 47905

****ATTACH LEGAL DESCRIPTION & PLAT MAP WITH LOCATION******SECTION 4****NATURE OF REAL ESTATE IMPROVEMENTS**

Describe any Real Property Improvements:

Size of facility to be constructed and /or renovated

48,000 sq ft

Rehabilitation of existing structure(s), especially architecturally significant or historic structures

Demolition of architecturally significant or historic structure(s)

Estimated Investment

\$2,900,000

SECTION 5

PERSONAL PROPERTY

Type of Project:

Research & Development _____

Machinery & Equipment _____

Logistics _____

Information Technology _____

Other _____

Please specify:

Estimated Investment _____

****ATTACH DEPRECIATION SCHEDULE****

APPLIES ONLY FOR THE CITY OF LAFAYETTE

Please note that all Personal Property tax abatements are subject to a Memorandum of Agreement that may require repayment of all or a portion of the tax savings realized in a designated ERA if it is terminated because the property is removed from the City of Lafayette by the applicant. Please contact the City of Lafayette Economic Department for details.

SECTION 6

EMPLOYMENT

How many do you employ today? _____

0

How many will you employ after the project is complete? _____

1 to 5

How many jobs will be created? _____

Full-time

Part-time

How many jobs are retained? _____

Full-time

Part-time

How many jobs will be eliminated? _____

Full-time

Part-time

Will any of the new positions be temporary or filled by contract employees

Yes

No

If "Yes", describe the contract: _____

Will new employees be hired from the Tippecanoe region? _____

Yes

X

No

If any positions are to be eliminated, please explain the circumstances and if any of the employees from these positions will be eligible for the new positions.

How many additional employees are:

	Number	Hourly Average
Production		
Administrative		
Management		
Professional/		
Technical		
Other	5	1923
Total/		
Average Wage		

How many retained employees are:

	Number	Hourly Average
Production		
Administrative		
Management		
Professional/		
Technical		
Other		
Total/		
Average Wage		

What is the anticipated time frame for reaching full employment and the salary goals, per SB-1, from completion of improvement?

Year	1 yr	2 yrs	3 yrs	4 yrs	5 yrs	> 5
Employment	5					
Salary	200,000					

****IF GREATER THAN FIVE YEARS PROVIDE DETIALED TIMETABLE****

Does the company provide benefits to full time employees?		Yes	_____	No	_____
If "Yes", explain and list:					
Health Insurance	_____	%	paid		
Life insurance	_____	%	paid		
Disability	_____	%	paid		
Childcare	_____	%	paid		
Vacation	_____	min. # of days			
Retirement	_____	%	paid		
Other	_____	%	paid		

To be completed by GLC Staff.

Is the average wage at or above the Tippecanoe County average?	Yes	_____	No	_____
--	-----	-------	----	-------

SECTION 7 IMPACTS & STATUS

Please estimate the % of your products or services sold outside this 8-county economic region?	_____	%
--	-------	---

Does the applicant supply any local firms?		Yes	X	No	_____
If yes, please list: Copiers Plus, Swift Fuels, Phoenix International Publications, Schurman-Lange Mayflower, Custom Containers, Inc.					

Will any additional public utilities, city services or other infrastructure be required by this project?		Yes	_____	No	X	_____
If "Yes", explain:						

Will any environmental permits be needed?		Yes	_____	No	X	_____
If "Yes", explain:						

Current Zoning <u>I3</u>						
Will any changes, special exceptions be required?		Yes	_____	No	X	_____
Have they been approved?		Yes	_____	No	_____	N/A _____

Has the applicant or any predecessor of the applicant defaulted in any material respect the performance of financial obligations by the applicant?			
Yes	_____	No	X

Is there any pending litigation materially affecting the applicant?		Yes	_____	No	X	_____
If "Yes", please describe giving procedural posture of the case(s):						

Are there any restrictions contained in the applicant's Articles or Certificate of Incorporation, Charter, Bylaws, Code of Regulations or any agreements to which the applicant is a party that could affect the applicant's ability to engage in this project?

Yes
No

X

If "Yes", explain:

SECTION 8

AFFIRMATION OF TAX PAYMENTS

I affirm that the applicant is current with all local, state, and federal tax obligations and understand that failure to have paid said taxes in a timely manner may render the applicant, during the course of this tax abatement, noncompliant and, therefore, ineligible for tax abatement.

Kelly L. Andrews
Signature

Kelly L. Andrews
Name Printed

Kelly@apex-warehouse.com
E-mail

4/16/2019
Date

President
Title

765-471-7100
Phone

BUSINESS INFORMATION
CONNIE LAWSON
INDIANA SECRETARY OF STATE
04/03/2019 12:11 PM

Business Details

Business Name: **APEX WAREHOUSE AND LOGISTICS LLC** Business ID: **2012031500031**
Entity Type: **Domestic Limited Liability Company** Business Status: **Active**
Creation Date: **03/14/2012** Inactive Date:
Principal Office Address: **4792 E 400 S, Suite A, LAFAYETTE, IN, 47905, USA** Expiration Date: **Perpetual**
Jurisdiction of Formation: **Indiana** Business Entity Report Due Date: **03/31/2020**
Years Due:

Incorporators Information

Name	Title	Address
WILLIAM R. SCHURMAN III	Incorporator	WILLIAM R. SCHURMAN III, LAFAYETTE, IN, 47909, USA
KELLY L. ANDREWS	Incorporator	7703 LYDIA LANE, LAFAYETTE, IN, 47909, USA

Registered Agent Information

Type: **Individual**
Name: **KELLY L. ANDREWS**
Address: **4792 E 400 S, LAFAYETTE, IN, 47905, USA**

PARCEL INFORMATION SCREEN	
Parcel Number:	146050000162
Owner Name:	ICHIYA LLC
Property Address:	US52 S
Neighborhood Code:	444
Legal Description:	PT S SE SEC 12 TWP 22 R4 10.000 A)STK79-11-12-476-001.000-031 A146-05000-0162
Property Class:	400 COM VACANT LAND
Township:	WEA
School Corp:	TIPPECANOE SCHOOL CORP
DLGF Taxing District Number:	79031
State Identification Number:	79 11-12-476 001.000-031
Property Information:	Click to view property sketches/map/photos
Property Record Card:	146050000162.pdf

4792 E 400 S



12/18/2018

